



## SHIPPING INTELLIGENCE.

### ARRIVALS.—None.

The whaling brig signalled to the southward yesterday was the *Gloucester*, Captain Carroll. She had been bound for the Island, which has been taken since she left the Bay of Islands, and has merely called off the port to obtain some tackle falls, for which a boat was sent ashore last night. No Sydney whalers have been spoken by her, and she will pursue her voyage to-day.

### DEPARTURES.—None.

### COASTERS INWARD.

May 14.—*Somerset*, 8. Frankard, from the Hawkesbury, with 100 bushels corn, 18,000 shingles; *Queen*, 14. Foot, from the Hawkesbury, with 550 bushels maize, 40 bushels wheat; *Echo*, 21, Johnson, from Shoalhaven, with 12 tons potatoes; *Mary Ann*, 9. Lowrie, from Pittwater, with 25 bushels shells.

### COASTERS OUTWARD.

May 14.—*Mermaid*, 12, Walker, from Newcastle, in ballast; *Sarah*, 49, Anderson, for Lake Macquarie, with sundries; *Quee*, 14. Foot, for the Hawkesbury, in ballast; *Somerset*, 8. Frankard, for the Hawkesbury, in ballast; *Mary Ann*, 9. Lowrie, for Pittwater, with sundries.

### CLEARANCES.

May 14.—*Leah*, 10, schooner, Captain Reid, for Port Nicholson, with sundries. Passengers—Messrs. R. Murray, M. Asher Johns, T. Frazer, Bryant, Chambers, E. and G. Johns, and Mrs. Turton and child.

May 14.—*Jane and Emma*, cutter, Captain Irvine, for Launceston, with sundries. Passenger—Mrs. Irvine.

### EXPORTS.

May 14.—*Leah*, 10, schooner, Captain Reid, for Port Nicholson, with sundries. Passengers—Messrs. R. Murray, M. Asher Johns, T. Frazer, Bryant, Chambers, E. and G. Johns, and Mrs. Turton and child.

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exported large quantities to India, the colonies, and wherever the British language is spoken, thus preventing the authors and publishers from reaping any advantage from their fellow-subjects who did not reside within the four seas. So far as the colonies are concerned this practice is now put an end to, and Mr. MURRAY steps forward to fill up the blank that has been occasioned, and we hope our fellow-colonists will assist him by purchasing his work, which we presume our booksellers will import, although we have not yet seen it advertised.

Mr. MURRAY has started well. His first work *Borrow's Bible in Spain*, is one of the most intensely interesting books published for many years. Good *Bishop Heber's Indian Diary* is well known as containing more information respecting the customs of the natives of India than any work extant. They are to be followed by a *Life of Lord Clive*, a *Life of Croake*, *Life of William Pitt*, *Southern Recollections of Early British Missionaries*, *Southey's Historical and Biographical Essays*, *Washington Irving's Bracebridge Hall*, &c.

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### LAWS INTELLIGENCE.

#### SUPREME COURT.—CIVIL SIDE.

##### TUESDAY.

BEFORE their Honors the three Judges, in Banco.

THE QUEEN v. LYNCH AND RODGES.

The above case having been called on for further argument,

Mr. Foster said, that he certainly sympathised with the Queen in this case, and that the other side said that he had been instrumental in procuring their affidavits; but it really appeared to him, that as much anxiety had been manifested to maintain this conviction as could possibly have been expected. The first objection taken by the learned Attorney-General was, that the case for the application was of a most weak nature, not being at all sufficiently supported by the affidavits which they had placed upon the table. The Queen's side, however, contended that the affidavit of Mr. Nichols, by which it was clearly shown that a person, apparently unauthorised, had filled the important office of Crown prosecutor, was at least abundantly sufficient to justify the Court in calling upon that person to make out the authority under which he had acted, more especially as the applicants had no means themselves of getting at that fact. His learned friends had produced affidavits to the point of inference, that they did not possess the power of inference, and that they had been given to him, and that he had given to Mr. Foster, contended for Mr. Justice Coleridge, to Blackstone's definition of Reversal of Judgment only went to show that no process could proceed to or from a party or parties without assuming the character of a court without any competent authority; but if no remedy was provided for an oppressive and illegal conviction by a tribunal of this nature, unless by resort to the expensive remedy of a writ of error, it would be of little service to the Queen, and must be exercised by him alone, without jurisdiction or control. The prisoners before the Court had been tried on the 4th of April, being an adjourned day from the 2nd, on which the Court had been opened. Now, if the Court had no power to sit on the 2nd, it could clearly have no power to adjourn the 4th; and it was distinctly sworn, by the official reporter, that the Queen's side of Oyer and Terminer was sitting at the time which, according to all the authorities bearing upon the question, would deprive the Queen's Sessions of its jurisdiction for the time being. He would not trespass longer on their Honors' time, but would merely remark, in conclusion, with reference to the intimation from the Attorney-General that the Court ought not to be in the position of pronouncing what he had been decided by a Court of competent jurisdiction to be a nullity, according to all the precedents which he had ever seen, no such consideration had ever been bestowed on the minds of the Judges against the clear rights of a party to have the benefit of whatever points could be urged in his favour.

Mr. WINDREY followed on the same side, and submitted that all which the Court had now to do was to see whether they had sufficient facts to support an affidavit to show that the grounds upon which the rule nisi had been granted could be borne out. He then said that as at all necessary, all had been stated which he knew anything about the matter, had put that knowledge in the form of an affidavit; and although the other side did not produce the affidavit to the Court, he supposed even that he had resigned such office five minutes after he had accepted it, Mr. Cheeke would still have required a re-appointment before he could have resumed his duties. He would go however upon the broad ground that the original commission to Mr. Cheeke was itself bad, from the reservation which it contained, subjecting the appointment to the pleasure of the Crown, and that the jurisdiction which was given to the Queen's Sessions of this nature, unless by a writ of error, could not be exercised by the Queen's side, and that the Queen's Sessions, as a Court of superior jurisdiction, could not determine upon the right of a party to proceed without an appeal to the Supreme Court. Supposing, therefore, that a writ of error would not lie in the present case, the present mode was the only one by which the interference of the Queen's Sessions could be avoided.

The Queen's side contended that the Queen's Sessions was the only one which could be brought to bear upon the question, and that the Queen's Sessions had been tried on the 4th of April, being an adjourned day from the 2nd, on which the Court had been opened. Now, if the Court had no power to sit on the 2nd, it could clearly have no power to adjourn the 4th; and it was distinctly sworn, by the official reporter, that the Queen's side of Oyer and Terminer was sitting at the time which, according to all the authorities bearing upon the question, would deprive the Queen's Sessions of its jurisdiction for the time being. He would not trespass longer on their Honors' time, but would merely remark, in conclusion, with reference to the intimation from the Attorney-General that the Court ought not to be in the position of pronouncing what he had been decided by a Court of competent jurisdiction to be a nullity, according to all the precedents which he had ever seen, no such consideration had ever been bestowed on the minds of the Judges against the clear rights of a party to have the benefit of whatever points could be urged in his favour.

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leading to the store and counting rooms, by forcing off a large padlock, and wrenching off a strong iron cross-bar, after which a large box-lock must have been pushed back by a small crowbar or other lever. The doors inside the building to the clerks' desks and manager's rooms, had also been forced, as well as the locks of all the desks and drawers in both these places, as they were all found open and the contents scattered over the floor. The clerks' drawers a number of partly burnt lucifer matches were strewn about within an inch or two of some dry empty flour bags; in one of the desks a portion of one of the papers appeared to have been on fire, and the marks of the smoke, as of a candle, is quite visible on the bottom of one of the drawers, which had been apparently open by cutters, and forced the locks; but in the manager's room the burglars appeared not only to have repaid themselves by smoking part of a bundle of cigars, of which they left the stumps lying about the room, and burning a wax candle which had been left there on the preceding evening, but they, as if determined to leave an additional proof of their rascality, removed the strong box, weighing upwards of six cwt. from its stand, shattered the door of the same safe to pieces, some of which did not appear to be larger than half a cubic inch, although the said door was formed of cast-iron plate of about half an inch in thickness, that they must have done either by a heavy hammer or by weighty hand-bellows belonging to the Company, and found very easily the key lying near the remains of the safe. The door in the safe having been left locked on the previous evening, and being a patent lock, had been partly pressed open, and the contents, mostly cash, withdrawn; but a few pounds in silver still remained, which leads to the conclusion that the plunderers must have been scared. The only person in the building during the time the robbery had been effected was the night miller, attending the mill and engine, at the other end of the building, three stories below where the property was stolen. It appears that the compositor would only have the kindness to apply to the profession generally, he may rest assured that his valuable services—namely, his drunken propensities—can be most readily dispensed with.

#### FOR HOBART TOWN.

TO SAIL IN EIGHT DAYS.  
**THE BRIGANTINE WATERLY.**  
John Hayle, commander. For freight or passage, having first-rate accommodations, apply on board, at the Queen's Wharf, or to  
JOHN MACNAMARA,  
Queen-street.

6539 TO THE ELECTORS OF THE DISTRICT OF PARRAMATTA.

**GENTLEMEN.**—In thanking you for the honour I have received at your hands, in being elected to appear as one of your representatives in the Council for your District, I can only reiterate my frequent and sincere assurances, that by unremitting vigilance in all matters wherein your interests are concerned, it will be my first intent to prove that the confidence which you have reposed in me has not been misplaced.

I have the honour to be,  
Gentlemen.

Your faithful servant,  
GEO. R. NICHOLS.

Pitt-street, Sydney, May 11. 6578

#### ADVERTISEMENT.

To the Editors of the Sydney Morning Herald,

**GENTLEMEN.**—Having observed, in the Australian of this morning, that a compositor of some standing in the colony, and experienced every ordinary means of obtaining employment, without success, at length compelled by dire necessity to adopt this novel mode of obtaining it, by offering his services to the profession generally "at what they will bring!"

Now, if the said compositor would only have the kindness to apply to the profession generally, he may rest assured that his valuable services—namely, his drunken propensities—can be most readily dispensed with.

Yours, &c.,

A COMPOSITOR.

May 13. 6559

#### MASONIC MEETING

**THE** Members of the Order of Free-masonry, resident at Illawarra, are respectfully invited to attend a Meeting to be held at Brother Brown's, Illawarra Hotel, on Monday, the third day of June next, at twelve o'clock noon, for the purpose of taking into consideration certain matters connected with the welfare of the craft in this district.

Dapto, Illawarra, May 11. 6433

#### COMMERCIAL READING ROOMS AND LIBRARY LECTURES.

**THE** Fifth Lecture of the Series will be delivered at the City Theatre, THIS EVENING, at half-past Seven o'clock, by S. H. A. Marsh, Esq.

#### Subject—MUSIC.

Parties who have taken tickets for the course are requested to come early.

Doors open at Seven o'clock. 6571

This day is published, price 6d.,  
no. iv, or

**TALES FOR THE BUSII.** To be had of the Printer and Publisher, D. L. Welch, Atlas Office, opposite the Post Office, Sydney; and of all the booksellers in the city. 6533

#### WHOLESALE AND RETAIL TEA AND GENERAL GROCERY WAREHOUSE.

No. 171, GEORGE-STREET SOUTH, OPPOSITE THE MARKET.

**A**THONY REYNOLDS begs respectfully to inform his friends and the public generally, that he has opened the premises lately occupied by Mr. James Mitchell, with a large and well assorted stock of goods in the general grocery and provisions line. Families favouring him with their orders may rely upon getting really genuine articles; and being determined to sell goods of the best quality only, and for the smallest possible profit, he hopes to merit a share of public patronage.

N. B.—Fresh ground coffee to be had every morning.

**LATHER! LEATHER!! LATHER!!** THE Undersigned has got on hand a large quantity of KIP and ALF SKINS in excellent condition, which he is willing to dispose of in any quantity to suit purchasers, at a lower price than at any other house in Sydney. The quality of the leather is first-rate.

JAMES NOBLE,

Clarence-street.

Between Mr. Blaxland's Store and Market-street. 6511

#### SPERM CANDLES.

SEVERAL Speculators are in the market, and it is well known they have their eye on "SPERM CANDLES," for they are getting scarce and in few hands. The Agent will in all probability be ordered to advance the price of the lot he has on sale, after the expiration of seven days from the date of his last week's advertisement: but until that time the prices are

For fours and fives, ls. 6d. per lb.

Sixes, ls. 7d. per lb.

S. ELLIOTT, Agent,

Charlotte-place.

#### JUST LANDED.

**YORK** Hams  
English Cheese  
Pickles and Sauces  
Jams and Jellies  
Bottled Fruits  
(in prime order.)

BENHAM AND CO.,

394, George-street, two doors south of the Royal Hotel. 6548

**ON SALE**, at the stores of the undersigned, in fine condition,

Sir Hans Sloane's, Churchman's, and plain Chocolate; Chocolate Paste and Powder; Sulphur Chocolate and Cocoa; and Genuine Cocoa.

The above will be sold considerably below the usual prices.

RICHARD PEEK,

Relby's Buildings, George-street.

**DERWENT POTATOES.** BY the bag or ton, warranted the best.

BENHAM AND CO.,

394, George-street, two doors south of the Royal Hotel. 6549

**TO BE SOLD**, a large Dinner Service of plain ware, with silver edges, consisting of four round plates, four side plates, (the covers of which make dishes), two circular hash dishes, and two large dishes for joints, with melon-shaped covers, all of which are on stands, with feet, for boiling hot water. Soup and butter tureens, bread basket, wittles, &c., &c.

If not sold as a service, they will be disposed of in pairs, to suit purchasers. Enquire at the Customs House.

ALSO,

A quantity of furniture, consisting of small dining and drawing room tables, twelve arm'd chairs, marble wash stand, bed, dressing tables, looking glass, carpets, curtains, glass, china, &c. 6551

**NOTICE TO SHIPPERS TO THE CLARENCE RIVER.** THE regular Steam-packet WILLIAM IV.

Will leave the Commercial Wharf, in the above district this evening, at six o'clock.

Commercial Wharf, May 15. 6552

#### BEST DERWENT SILVER ONION SEED.

**THE** Undersigned begs to acquaint Market Gardeners and others, requiring such valuable seed, that by a recent arrival he has received a quantity of the above description, which will warrant genuine; and will dispose of on the most reasonable terms. A considerable abatement will be made to parties purchasing above six pounds.

To be had at No. 7, Fruit and Vegetable Stall, George-street Market.

JOHN MACNAMARA,  
Queen-street.

6533

#### EDWARD MORIARTY.

VINE CUTTINGS.

**PERSONS** who are desirous to be supplied with Vine Cuttings of the best variety for Wine and for Table, are informed that they may be obtained from the Camden Vineyard, at the following prices:

Gouais (La Folie) from Cognac Verdello Madiera 15s. per 1000

Pineau Gris from Burgundy 20s. per 1000

White Grape 20s. per 1000

Ditte 20s. per 1000

Carbenet Sauvignon from Malbec 30s. per 1000

Bordeaux Chambal 30s. per 1000

Pineau blanc from Burgundy 30s. per 1000

White Grapes Ditto 30s. per 1000

Raisin vert Ditto 30s. per 1000

Ancasot Landes 30s. per 1000

Muscot Noir 30s. per 1000

— gris 30s. per 1000

— rouge 30s. per 1000

— blanc 30s. per 1000

And a variety of other excellent sorts, as well for the Table as for Wine, 5s. per 1000.

Rooted plants of the greater part of the foregoing, may be had at the additional charge of 2s. per 1000.

The Cuttings will be formed out of the proper description of wood, 18 inches in length, neatly bound in bundles of 1000, and sent by express to the customer, in time addressed to the Post Office, at the earliest date possible.

Mr. MORIARTY, 15, Queen-street, Sydney.

6534

#### ARROWROOT, IRISH PORK, CANDIED ORANGES, SNUFF, &c.

**M** R. MORT will sell by auction, at his Rooms, George-street, THIS DAY, the 15th MAY, At eleven o'clock.

One hundred and twenty salted Ox Hides.

Terms at sale. 6560

#### GLAZED PAPER.

**WANTED**, a small quantity of glazed paper—dark blue, purple, or black, for pamphlet covers. Enquire at the Sydney General Post Office, or

Mo' n'g Herd's Office.

6559

#### MONKEY.

**WANTED**, immediately, £300 on security which will be found wholly unexceptionable, consisting of valuable farms and land adjoining Campbelltown, and 65 acres in the town of Appin, comprising nearly 300 acres in all, and on which nearly £2000 has been expended.

In addition to the above, the personal security by note or guarantee will be given of an independent land and property owner, and a respectable private gentleman, interest 12 per cent., to redeem a security paying £225 per cent. Title, grant from the Crown direct.

Apply to Mr. John Dillon, York-street, Sydney.

6535

#### CAUTION.

**I** HEREBY caution the public from giving credit to ANY PERSON OR PERSONS in my name, for the undersigned will not be responsible for ANY debt or debts contracted without his written order.

JOSEPH M'KENNA, Accountant,

23, Castlereagh street, Sydney, May 14.

6551

#### CAUTION.

**I** HEREBY caution the public from giving credit to ANY PERSON OR PERSONS in my name, for the undersigned will not be responsible for ANY debt or debts contracted without his written order.

W. PEARCE.

Kent-street North, May 12. 6520

#### CAUTION.

**I** HEREBY caution the public from giving credit to ANY PERSON OR PERSONS in my name, for the undersigned will not be responsible for ANY debt or debts contracted without his written order.

W. PEARCE.

Kent-street North, May 12. 6520

#### G L A Z E D P A P E R .

**WANTED**, a small quantity of glazed paper—dark blue, purple, or black, for pamphlet covers. Enquire at the Sydney General Post Office, or

Mo' n'g Herd's Office.

6559

#### S A L T E D O X H I D E S .

**M** R. MORT will sell by public auction, at his Rooms, our due south of the General Post Office, or

THIS DAY, the 15th MAY,

At eleven o'clock.

One hundred and twenty salted Ox Hides.

Terms at sale. 6560

#### ARROWROOT, IRISH PORK, CANDIED ORANGES, SNUFF, &c.

**M** R. MORT will sell by auction, at his Rooms, George-street,

THIS DAY, the 15th MAY,

At eleven o'clock.

Thirteen casks of arrowroot, a very superior

Twenty-five barrels prime Irish pork

Three caskets black rump snuff

Twenty cases candied oranges, in beautiful

condition

Three casks ale, unsound

With a variety of sundries.

Terms at sale. 6562

#### CIGARS.

**M** R. MORT will sell by public

